



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-2147 FAX (603) 271-6588



**LETTER OF DEFICIENCY
WET 2002-04**

February 19, 2003

Leon French
105 Lakeshore Dr.
Northwood, NH 03261

RE: DES Wetlands File #2002-02576 105 Lakeshore Dr, Northwood

Dear Mr. French:

On December 17, 2002, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Northwood Tax Map 109 as Lot 42 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-700.

During the inspection the following deficiencies were documented:

- 1 Concrete steps have been recently built in the bed of Northwood Lake. The steps measure approximately 20 square feet.
2. The stairs constitute fill in Public Waters, and as such are not permissible under RSA 482-A:16.

In response, you are requested to take the following actions:

- 1 Within 30 days of receipt of this Letter of Deficiency, submit a restoration plan to DES for review and approval. Have the restoration plan prepared by a certified wetland scientist, licensed land surveyor, or other qualified professional, and include provisions for removing the concrete stairs on the Property and restoring the lakebed to its original condition. Submit the following with the restoration plan:
 - a. A plan with dimensions, drawn to scale, showing:
 1. Existing conditions, with wetland boundaries; and
 2. Proposed conditions after reestablishing the jurisdictional areas;
 - b. A detailed description of the proposed means of erosion control (silt fence, hay bales, etc) and stabilization of the restoration area;
 - c. A description of the proposed construction sequence and methods for accomplishing restoration and anticipated restoration compliance date.
2. Implement the restoration plan only after receiving written approval and as conditioned by DES.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit,

this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.


Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Vicki Chase, Compliance Inspector
Wetlands Bureau
Department of Environmental Services
6 Hazen Drive
PO Box 95
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact Vicki Chase at (603) 271-4062.

Sincerely,



Mary Ann Tilton
Senior Enforcement Officer
Wetlands Bureau

CERTIFIED MAIL 7099 3400 0003 0688 7053

cc: Rene Pelletier, Manager, Land Resources Management Program
Gretchen Rule, Administrator, DES Legal Unit
Northwood Conservation Commission
Northwood Board of Selectmen
David Killoy, USACOE